

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 1153

House Bill No. 482*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-524, is amended by adding the following new subsection (e):

(e)(1) As a condition of community supervision for life, any person committing aggravated rape, rape, aggravated sexual battery or rape of a child on or after July 1, 1997, shall, if not medically and/or psychologically precluded, be required to submit to medroxyprogesterone acetate treatment (MPA), or its chemical equivalent, as a part of a comprehensive treatment program under guidelines established by the Tennessee Sexual Offender Treatment Board and administered by the Department of Correction and the Board of Paroles.

(2) MPA treatment shall not be administered until the Department of Correction has certified that such treatment is not precluded for medical and/or psychological reasons. Such certification shall be made by a qualified physician and psychologist approved by the Tennessee Sexual Offender Treatment Board. In the event such providers certify that MPA treatment is not suitable medically and/or psychologically, the condition requiring MPA treatment may be waived. In the event that the MPA treatment is waived, the supervising authority shall be notified and shall adjust other treatment and supervision conditions to effectively monitor said person.

(3) Upon certification that the offender is medically and psychologically suitable, the MPA treatment shall be commenced by the Department of

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House Judiciary Criminal Practice Subcommittee Amendment # 1

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Correction prior to the offender's release on lifetime community supervision.

After release the offender will be monitored for compliance by the Board of Paroles as part of the supervision plan.

(4) The physician administering the MPA or its chemical equivalent shall provide a report and recommendation to the Board of Paroles regarding the appropriateness of continued MPA treatment on an annual basis unless an earlier report and recommendation is warranted based on the offender's medical and/or psychological condition.

SECTION 2. Tennessee Code Annotated, Section 39-13-526, is amended by adding the following new subsection:

If the offender violates the condition of community supervision requiring such person to undergo MPA or its chemical equivalent, pursuant to Tennessee Code Annotated, Section 39-13-524(e), such violation shall be a Class A misdemeanor.

SECTION 3. This act shall take effect July 1, 1997, the public welfare requiring it.

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